

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

LEANDRE MARTELL,

Plaintiff

Case No. 2:22-cv-00858-RFB-BNW

ORDER

v.

JULIE WILLIAMS, et al.,

Defendants

This action is a *pro se* civil rights complaint filed under 42 U.S.C. § 1983 by a former state prisoner. Plaintiff has submitted an application to proceed in district court without prepaying fees or costs following his release from prison. (ECF No. 17). Based on the financial information provided, the Court grants Plaintiff leave to proceed without prepayment of fees or costs under 28 U.S.C. § 1915(a)(1).<sup>1</sup>

On December 22, 2022, the Court entered a screening order. (ECF No. 3). The screening order imposed a 90-day stay and the Court entered a subsequent order assigning the case to mediation by a court-appointed mediator. (ECF Nos. 3, 19). The parties did not settle at mediation. (ECF No. 22).

**IT IS THEREFORE ORDERED** that:

1. Plaintiff's application to proceed in district court without prepaying fees or costs (ECF No. 17) is **GRANTED**.

2. Plaintiff is permitted to maintain this action to conclusion without the necessity of prepayment of any additional fees or costs or the giving of security therefor.

3. The Clerk of the Court will electronically **SERVE** a copy of this order and a copy of Plaintiff's complaint (ECF No. 4) on the Office of the Attorney General of the State of Nevada, by adding the Attorney General of the State of Nevada to the docket sheet. This does not indicate acceptance of service.

<sup>1</sup> Plaintiff is not subject to the requirements of 28 U.S.C. § 1915(a)(2), (b) because he is no longer a "prisoner" within the meaning of the statute. See 28 U.S.C. § 1915(h).

5. Subject to the findings of the screening order (ECF No. 3), within **twenty-one (21) days** of the date of entry of this order, the Attorney General's Office will file a notice advising the Court and Plaintiff of: (a) the names of the defendants for whom it accepts service; (b) the names of the defendants for whom it does not accept service, and (c) the names of the defendants for whom it is filing the last-known-address information under seal. As to any of the named defendants for whom the Attorney General's Office cannot accept service, the Office will file, *under seal*, but will not serve the inmate Plaintiff the last known address(es) of those defendant(s) for whom it has such information. If the last known address of the defendant(s) is a post office box, the Attorney General's Office will attempt to obtain and provide the last known physical address(es).

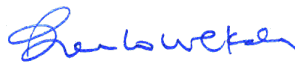
7. If the Attorney General accepts service of process for any named defendant(s), such defendant(s) will file and serve an answer or other response to the complaint within **sixty (60) days** from the date of this order.

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1 submitted for filing a certificate stating the date that a true and correct copy of the  
2 document was mailed to the defendants or counsel for the defendants. If counsel has  
3 entered a notice of appearance, Plaintiff shall direct service to the individual attorney  
4 named in the notice of appearance, at the physical or electronic address stated therein.  
5 The Court may disregard any document received by a district judge or magistrate judge  
6 which has not been filed with the Clerk, and any document received by a district judge,  
7 magistrate judge, or the Clerk which fails to include a certificate showing proper service  
8 when required.

9 9. This case is no longer stayed.

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11 DATED THIS 25TH day of July 2023.

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14 BREND A WEKSLER  
15 UNITED STATES MAGISTRATE JUDGE  
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